



Practitioner's Docket No. MPI98-148P1USM

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Phillips, David R., et al  
Application No.: 09/673,302 Group No.: 1632  
Filed: March 23, 2001 Examiner: Ton, Thaian N.  
For: TRANSGENIC MICE EXPRESSING MUTANT GP IIIA (β3) PROTEIN (as  
amended)

Commissioner for Patents  
Washington, D.C. 20231

REQUEST FOR CONTINUED EXAMINATION (RCE)  
(37 C.F.R. 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. Section 1.114, for the above identified application.

01/29/2003 LWONDIM1 00000052 501668 09673302

01 FC:1801 750.00 CH

TIME REQUEST IS BEING MADE

2. This request is being submitted (*check appropriate item(s) below*):

i.  Prior to abandonment of the application

01/29/2003 LWONDIM1 00000051 09673302

02 FC:1253 930.00 CH

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10\*

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TRANSMISSION

transmitted by facsimile to the Patent and Trademark Office.

  
Signature – Carolyn Willey

(type or print name of person certifying)

Date: January 27, 2003

\*WARNING: Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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- ii.  Payment of the issue fee
  - Prior to payment of issue fee
  - Issue fee has been paid but a petition under Section 1.313 has been granted
- iii.  Prior to a decision on appeal to the Board of Patent Appeals & Interferences
  - A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv.  Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145
  - or  Commencement of a civil action under 35 U.S.C. 146
  - Prior to the filing of such appeal or commencement of civil action
  - Such appeal or commencement of civil action has been terminated

**ENCLOSURES**

3. Enclosed herewith is/are:

- An information disclosure (37 C.F.R. Section 1.98)
  - Form PTO-1449 (PTO/SB/08A and 08B)
- An Amendment and Response (13 pages) and Exhibit 1 Marked up Version of the Changes to the Specification (1 pages)
- New arguments
- New evidence in support of patentability
- Other: 1. 4 pages of paper copy of Sequence Listing (37 CFR Section 1.821-1.823),  
2. Diskette containing computer readable form of Sequence Listing (37 CFR Section 1.821(e) and 1.824),  
3. 4 pages of Submission of "Sequence Listing," Computer Readable Copy, and/or Amendment Pertaining Thereto for Biotechnology Invention Containing Nucleotide and/or Amino Acid Sequence (37 CFR Section 1.821(f));  
4. 2 pages of a copy of the Revocation of Prior Powers of Attorney and Appointment of New Power of Attorney filed January 7, 2002;  
5. 1 page of a copy of the postcard filed with the Revocation of Prior Powers of Attorney and Appointment of New Power of Attorney date stamped January 7, 2002;  
6. Change of Attorney Docket Number (1 page); and  
7. Return postcard.

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**FEE FOR REQUEST (37 C.F.R. Section 1.17(e)).**

4. This application is on behalf of other than a small entity \$750.00  
\$750.00

## **FEE FOR CLAIMS**

5. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		OTHER THAN A SMALL ENTITY		
Claims Remaining After Amendment		Highest No. Previously Paid	For		Present Extra	Rate		Addit. Fee
Total	24	Minus	68	=	0	\$18.00	=	\$0.00
Indep.	6	Minus	5	=	0	\$84.00	=	\$84.00
First Presentation of Multiple Dependent Claims						\$280.00	=	\$0.00
					Total			\$84.00
					Addit. Fee			

(c)  No additional fee is required.

OB

(d)  Total additional fee required is \$84.00

## EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

(a)  Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for small entity</u>	<u>Fee for other than small entity</u>
<input type="checkbox"/> one month	\$ 55.00	\$ 110.00
<input type="checkbox"/> two months	\$ 205.00	\$ 410.00
<input checked="" type="checkbox"/> three months	\$ 465.00	\$ 930.00
<input type="checkbox"/> four months	\$ 725.00	\$1,450.00
	<b>Fee</b>	<b>\$930.00</b>

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If an additional extension of time is required, please consider this a petition therefor.

An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$0.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$0.00

OR

(b)  Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**TOTAL FEE(S) DUE**

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$750.00
Fee(s) for additional claims (if any) (Section 1.16(b)-(d))	\$ 84.00
Extension of time fee (if any) (Section 1.17(a)(1)-(4))	\$930.00
Total Fee(s) Due:	\$1,764.00

**PAYMENT OF FEE(S) DUE**

8. Please pay the fee(s) for this continued examination application as follows:

Check is attached for the sum of \_\_\_\_\_

Charge Account 501668 the sum of \$1,764.00

Charge Credit Card the sum of \_\_\_\_\_  
(Credit Card Payment Form (PTO-2038) attached.)

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Please charge any required additional fee(s) for Section 1.17(e), Section 1.16(b)-(d) and/or Section 1.17(a)(1)-(4) to

Account 501668

Credit Card (Credit Card Payment Form (PTO-2038) attached.)

**INVENTORSHIP**

9. This application as amended names as inventors:

the same inventors as previously designated for the claims.

fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.

a person not named previously as an inventor and a petition under 37 C.F.R. Section 1.48 is/has separately:

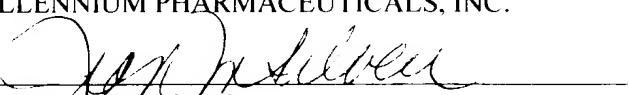
being filed

been filed

January 27, 2003

**MILLENNIUM PHARMACEUTICALS, INC.**

By

  
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